

GOVERNMENT OF TELANGANA

ABSTRACT

Tribal Welfare Department – Telangana State – Adilabad District – Issue of Agency Area Local ST Certificates under GO Ms.No.24 of dt.12.6.2018 of TW (LTR.1) Department – Memo issued by District Collector Adilabad to Pawar Eshwar S/o Ganesh, R/o Thadihathnoor, in Memo Rc.No.C3/1621/2019-4, dt:26.09.2019, stating that the Certificate is not genuine - Appeal filed by Pawar Eshwar S/o Ganesh R/o.Thadihathnoor (V) of Narnoor Mandal, Adilabad District – Allowed – Orders – Issued.

TRIBAL WELFARE (LTR) DEPARTMENT

G.O.Ms.No. 24

Dated: 11-02-2021
Read the following:-

1. GO Ms.No.24, TW (LTR.1) Department, dated 12.6.2018.
2. Memo.Rc.No.C3/1621/2019-4, dt.26.09.2019 of Collector, Adilabad District.
3. Appeal petition filed by Pawar Eshwar S/o Ganesh R/o.Thadihathnoor (V) of Narnoor Mandal, Adilabad District, dated 22.06.2020.
4. Govt.Memo.No.580/TW.LTR/2020, dated 16.07.2020,31.08.2020 &24.09.2020
5. Lr.Rc.No.D5/309/2018, dated: 28.09.2020 of P.O, ITDA, Utnoor, Adilabad District.
6. Notice No.580/TW.LTR/2020, dt. 24.09.2020.

ORDER

In the reference 1st read above, Government have issued detailed guidelines for issue of Agency Area Local Scheduled Tribe Certificates to the local STs living in the Scheduled Areas and procedure to be adopted for cancellation of such certificates in case of fake/bogus claims.

2. In pursuance of the said Government orders under reference 1st read above, the District Collector, Adilabad in the reference 2nd cited, informed the applicant i.e. Pawar Eshwar S/o Ganesh R/o Thadihathnoor (vg) of Narnoor Mandal, that the Local ST Area Certificate submitted by him during certificate verification for appointment of Forest Beat Officer was taken up for enquiry by the scrutiny committee as per guidelines mentioned in GO Ms.No.24, dated 12.06.2018 and during verification, the said certificate was found not genuine. Therefore, instructed the applicant to file appeal before the Government under GO Ms.No.24, dated 12.06.2018, if aggrieved by the said orders of the scrutiny committee.

3. The Project Officer, ITDA Utnoor, Adilabad District in his letter Rc.No.D5/309/2018, dt.28.09.2020 has submitted Enquiry Report of the Scrutiny Committee and connected records stating that the candidate Sri Pawar Eshwar S/o Ganesh R/o Tadihathnoor,, Narnoor Mandal has submitted the following documents to the Scrutiny Committee:

- i) Family Tree without signature of Tahsildar, Narnoor.
- ii) Fasli 1357 (1947) in the name of Ramdas S/o Banjara (Bakshi) Thadihathnoor of Narnoor Mandal attested by the Tahsildar, Utnoor.

(Contd....2)

- iii) Khasra Pahani 1954-55 in the name of Mangya S/o Ramdas written in Marathi language.
- iv) Pahani 1964-65 in the name of Mangya S/o Ramdas.
- v) Pahani 1970-71 in the name of Mangya S/o Ramdas (Sy.No.38) attested by Tahsildar, Narnoor.
- vi) Pahani 1984-85 in the name of Mathibai D/o Mangya.
- vii) Pahani 1994-95 in the name of Vasram S/o Mangya.
- viii) Choufasla – 2002-03 of Tadihathnoor village (Sy.No.38) Vasram S/o Mangya.
- ix) Pahani 2009-10 – in the name of 1) Vaman S/o Vasram, 2) Vasram S/o Mangya.
- x) Migration certificate along with Voter list issued by the Tahsildar, Kerameri.
- xi) Caste Certificate of Pawar Ganesh S/o Kondiba issued by Tahsildar, Narnoor.
- xii) Pahani 1973-74 of Devapur village of Kerameri Mandal issued by DT Kerameri.
- xiii) House Tax copies 1996-97 issued by Panchayat Secretary, GP Thadihathnoor (Ganesh S/o Kondu).
- xiv) House Tax copies of 2006-07 issued by Panchayat Secretary, GP Thadihathnoor (Ganesh S/o Kondu).
- xv) House Tax copies 2016-17 issued by Panchayat Secretary, GP Thadihathnoor (Ganesh S/o Kondu).
- xvi) Caste Certificate of P.Eshwar issued by Tahsildar, Narnoor.

4. The Project Officer, ITDA, Utnoor further reported the following findings made by the Members of the Scrutiny Committee:

- i) Migration certification shows that he is not migrated from Kerameri Mandal.
- ii) Electoral Roll not matching with Family Tree.
- iii) Last 10 years land records/documents not submitted.
- iv) Link documents not submitted to establish residence from 1950 to so far.

(Contd....3)

- v) Surname of forefathers and grandfather of the individual not mentioned in the Fasli 1357 (1947) and Khasra Pahani 1954-55, 1964-65 & 1970-71.

5. Aggrieved to reference 2nd cited, the appellant Pawar Eshwar has filed an Appeal before the Government under GO Ms.No.24, dt.12.6.2018 and stating that he had obtained Agency Area Certificate in the year 2018 as per GO Ms.No.3 and when the LSTAC applied for in terms of GO Ms.No.24, his plea has been rejected treating his earlier LSTAC as not genuine – therefore, requested to consider re-verifying his case. His representation dated 22.06.2020 along with the documents have been treated as Appeal before the Government under GO Ms.No.24, dt.12.6.2018. The documents which have been submitted along with the Appeal are examined as follows:

- i) **Family Tree** – Ramdas is great great grandfather of appellant. He has two sons namely **1) Mangya (great grandfather of appellant)** and 2) Hemla.

Mangya i.e. great grandfather of appellant has four sons namely **1) Kondya (grandfather of appellant)** 2) Bapurao 3) Bhikku and 4) Vasram.

Kondya (grandfather of appellant) has three sons namely **1) Ganesh (father of appellant)** 2) Santosh and 3) Shankar.

Ganesh (father of appellant) has four sons namely **1) Eshwar (appellant)** 2) Vijesh 3) Rajesh and 4) Chandrabhan.

- ii) Namuna Number 4 – Takhta Choufasla – Tadihathnur – Taluka Uttoor – Dist. Adilabad – 1357 Fasli (1947 year) – translated from Marathi – shows name of Ramdas (great great grandfather of appellant) for an extent of 10 acres 20 guntas.
- iii) Khasra Pahani 1954-55 – Tadihathnur village – Taluka Uttoor - shows name of Mangya S/o Ramdas (great grandfather of appellant) for an extent of 10 acres.
- iv) Pahani 1964-65 – Tadihathnur village – shows name of Mangya S/o Ramdas (great grandfather of appellant) for an extent of 12 acres.
- v) Pahani 1970-71 – Tadihathnur village – shows name of Mangya S/o Ramdas (great grandfather of appellant) for an extent of acs.12.00.
- vi) Pahani 1973-74 – Devapur village – now Kerameri Mandal – shows name of Kondya S/o Mangya (grandfather of appellant).
- vii) Pahani 1981-82 – Devapur village – Wankidi Taluq

(Contd..4)

(now in Kerameri Mandal) – Pawar Kondya S/o Mangu (grandfather of appellant) for an extent of 5 acres.

- viii) Pahani 1984-85 – Tadihathnur – now Narnoor Mandal – shows name of Mothibai W/o Mangya i.e. wife of great grandfather of appellant, for an extent of 6 acres in Sy.No.38/258.
- ix) Pahani 1994-95 – Tadihathnur – now Narnoor Mandal – shows name of Vasram S/o Mangya (youngest brother of grandfather of appellant namely Kondya) for an extent of 12 acres in Sy.Nos.38/257 and 38/258.
- x) Pahani for 1412 Fasli (2002-03 year) – Tadihathnur village – Narnoor Mandal – shows name of Vasram S/o Mangya (i.e. youngest brother of grandfather of appellant namely Kondya) for an extent of 12 acres in Sy.Nos.38/257 and 38/258.
- xi) Pahani for 2009-10 – Thadihathnur – Narnoor Mandal – shows name of Vasram S/o Mangya (i.e. youngest brother of grandfather of appellant namely Kondya) for an extent of acs.12 in Sy.Nos.38/257 and 38/258.
- xii) Old PPB for Patta No.256 issued by RDO Utnoor to Sri Vasram S/o Mangya (youngest brother of grandfather Kondya) showing owning of 12 acres in Sy.Nos.38/257 and 38/258 in Thadihathnur village, Narnoor Mandal.
- xiii) Voter list for the year 1977 of 243 Khanapur Assembly Constituency – Part No.178 – show names of Kondu S/o Mangu (grandfather of appellant) and his Vimalabai at Sl.Nos.513 and 514 under H.No.4-20.
- xiv) Voter list for the year 1993 of 243 Khanapur (ST) Assembly Constituency – Polling Station No.59 – Devapur village – Kerameri Mandal – show names of Kondya S/o Mangu (grandfather of appellant), Vimalabai W/o Konda (grandmother of appellant), Ganesh (father of appellant) and Sakkubai (mother of appellant) from Sl.Nos.670 to 673 under H.No.1-52.
- xv) Voter list for the year 1995 of 243 Khanapur (ST) Assembly Constituency – Polling Station No.70 – Devapur village – Kerameri Mandal – show names of Pawar Ganesh and Pawar Sakkubai (parents of appellant) at Sl.Nos.975 and 976 under H.No.2-35.

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- xvi) Local Area Residence Certificate bearing No.B/230/2018, dt.30.06.2018 issued by Tahsildar, Narnoor certifying that Pawar Eshwar S/o Ganesh (appellant) belongs to ST Lambadis community and residing at Thadihathnur village of Narnoor Mandal by birth till today which is a notified agency area.
- xvii) Migration Certificate bearing No.B/173/2020, dt.8.10.2020 issued by the Tahsildar, Kerameri Mandal, KB Asifabad District, wherein it was certified that on the basis of the certifications made by the Village Revenue Officer, Devapur and Girdawar-II of this Mandal and as per verification of documents produced by the applicant, it is found that with reference to voter list for the year 1977 applicant grandfather name has been enrolled as Kondu S/o Mangu at Sl.No.513 in the Part No.178 Devapur 243 Khanapur Assembly Constituency after that during the 1955 year voter list applicant father name has been enrolled as Pawar Ganesh S/o Kondu at Sl.No.975 in the part No.070 Devapur, 243 Khanapur Assembly Constituency then after parents of the applicant were gone from this area. Hence certified.
- xviii) GP Resolution dt.10.9.2020 of GP Devapur, Kerameri Mandal, KB Asifabad District – wherein it was declared that Sri Pawar Kondya S/o Mangya (grandfather of appellant) lived in Devapur village from 1963 to 1995 and later migrated to Thadihathnur village for education of children.
- xix) GP Resolution dt.1.8.2020 of GP Thadihathnur, Narnoor Mandal – wherein it was declared that the family of Mangya S/o Ramdas living in Thadihathnur village from 1950. In the year 1963, Kondya S/o Mangya (grandfather of appellant) migrated to Devapur village for children education.
- xx) GP Resolution dt.1.8.2020 of GP Thadihathnur, Narnoor Mandal – wherein it was declared that family of Pawar Ganesh S/o Kondya, migrated from Devapur to Thadihathnur village in 1996 for livelihood.

6. Vide reference 4th read above, the District Collector, Adilabad has been requested to submit original record pertaining to the case along with para-wise remarks.

7. Accordingly, vide reference 5th read above, the PO ITDA Utnoor, Adilabad District has submitted original record of the case along with para-wise remarks.

8. Vide reference 6th read above, a Notice has been issued to the Appellant to attend for hearing on 29.9.2020 at 11.00 AM before the Government to prove her claim along with documentary evidences. Accordingly, the Appellant has attended for hearing on 29.9.2020, and submitted the documents as submitted along with Appeal Petition.

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9. From the documents, it is found that the appellant Pawar Eshwar and his ancestors have been continuously living in the agency villages i.e. Thadihathnur @ Thadihathoor and Devapur villages of erstwhile Adilabad District from before 1950.

10. From the record, there is no complaint made against the Appellant Pawar Eshwar S/o Ganesh R/o Thadihathnur, Narnoor Mandal and the District Collector, Adilabad ought to have informed the same to the appointing authority about genuineness of his local ST status in the Agency area of Adilabad District, but instead conducted inquiry and declared his LSTAC obtained in the year 2018 as not genuine. Non-compliance of directions of the Hon'ble High Court will attract contempt proceedings. On this count also, the appellant Pawar Eshwar S/o Ganesh R/o Thadihadapnoor of Narnoor Mandal is to be treated as local ST of agency area of Adilabad District and his LSTAC bearing No.B/230/2018, dt.30.06.2018 issued by Tahsildar, Narnoor is to be treated as valid.

11. Government after careful examination of the documents available on record, documents submitted by the Appellant along with the appeal petition, during the hearing on 29.9.2020 and also in the light of the Interim orders of the Hon'ble High Court of Judicature at Hyderabad for the State of Telangana and the State of Andhra Pradesh in interim orders passed in IA No.1 of 2018 in WP No.31426 of 2018, dated 5.9.2018 and in IA No.1 of 2018 in WP No.32413 of 2018 dated 14.09.2018, it is found that the appellant Pawar Eshwar and his ancestors have been continuously living in the agency villages i.e. Thadihathnur @ Thadihathoor and Devapur villages of erstwhile Adilabad District from before 1950.

12. Accordingly, Government hereby setting aside Memo of the Collector & District Magistrate, Adilabad District in Memo.No.C3/1621/2019-4, dt.26.09.2019 and reference of PO ITDA Utnoor in letter No.D5/309/2019, dated 16.09.2019 and allowed the Appeal filed by Pawar Eshwar S/o Ganesh R/o Thadihathoor village of Narnoor Mandal, Adilabad District and treating him as Local ST of Thadihathoor an agency village in Narnoor Mandal of Adilabad and also his LSTAC bearing No.B/230/2018, dt.30.06.2018 issued by the Tahsildar, Narnoor as valid.

13. The Collector & District Magistrate, Adilabad District shall take further necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

**Dr.CHRISTINA Z.CHONGTHU
SECRETARY TO GOVERNMENT**

To

The Collector & District Magistrate, Kumuram Bheem Asifabad District.
Pawar Eshwar S/o Ganesh R/o Thadihathoor village,
Narnoor Mandal, Adilabad District

Copy to:

1. The Secretary, Telangana State Public Service Commission, Hyderabad (for information & necessary action)
2. The Project Officer, ITDA Utnoor, Adilabad District (for information & necessary action)
3. The District Educational Officer, Adilabad (for information & necessary action)

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4. The PS to Hon'ble Minister for ST Welfare for information.
5. The PS to Secretary (TW)
6. The PS to Special Secretary (TW)
7. SF/SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER